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[Despatch Abstract.]

Labour - Plantation - Industrial Committee on Plantation - Meeti
held on 31st March, 1st and 2nd April and 1948. Papers Recorded.

Proceedings of the Second Session of the Industrial Committee on plantations held in New Delhi in March/April 1948.

ITEM I - WAGE TAXATION.

The Chairman read the terms of reference of the Sub-Committee regarding wage fixation and informed the House that according to the agreement reached at that Sub-Committee a family should consist of 4.5, whom 1 would be the adult male, 1 audult female and 0.1 child. He pointed out that the employers' view was that the family should consist of 4.25 memners in North India. He wanted to know whether there should be any improvement in the existing rates of wages on that basis. He quoted figures from Mr.Deshpande's report giving the actual daily cost of present diet, the daily cost of balanced diet and that of "Compromise" diet per consumption unit.

Mr.Venkataraman suggested that a via media between the "balanced diet" and the "compromise diet" might be ~~xxxxxx~~ the arrived at and argued that there should be an addition of 1 anna for milk, one anna for fish and 1½ annas for other items to the suggested compromise diet and that since the proposal is to prohibit children below 12 from working in the estates, the wages of other members of the family ought to be increased to the extent to which the present level would be reduced by banning their employment. He arrived at the figure of Rs.-/ Rs.-/11/2½ as the cost of the compromise diet according to his suggestions and stressed that at this cost the wage rates should be worked out; on the basis of a family consisting of 4.5 members of 3.4 consumption units.

Mr.Souter pointed out that the figures given by Mr. Venkataraman applied only to Northern India.

Mr. Venkataraman replied that the idea was ~~xx~~ to fix an all India rate and pointed out that the wages for South India would be higher still since in South India the hours of work were 8 as against 5 in North India.

The Chairman suggested that the rates for Northern India might be taken up first.

Mr.Llewellyn stressed that the wage question could not be settled in a Conference and that it should be left to the Wage Board.

The Chairman agreed in principle but pointed out that although the 1st session of the Committee was not a wage fixing Board yet something was done in the matter of fixing the wage rates. He wanted to know whether there was a measure of agreement in regard to the suggestion that a family ~~xx~~ in North India should consist of 4.25 units.

Mr. Tripati agreed.

Mr. Venkataraman pointed out that the workers' group were of the opinion that the question of immediate relief should be taken up first and that the principles of wages fixation might be discussed later.

The Chairman pointed out that there was no question of the Committee constituting itself into a Wage Board. An enquiry was conducted in pursuance of the conclusions reached at the first session of the Committee. The Report on the enquiry was there and the two factors for consideration were the exclusion of children below 12 years of age from employment and the question of wages. He stressed that if the industry felt that there was a case for an immediate increase of wages there was no harm in coming to a tripartite agreement straightway.

Mr. Stevenson drew attention to the fact that at the last Conference the industry had stressed that it was a bad principle for a Conference of the type to calculate and fix wages. Mr. Sharma agreed.

Mr. Venkataraman felt that the industry must agree to the fixation of interim wages pending investigations by a wage Board.

The Chairman again pointed out that if the Committee felt that there was justification foran immediate rise in wages but that was not done by this Committee, there was nothing to prevent the Provincial Governments to take advantage of the Minimum Wages Act and apply that immediately for fixing minimum wages. He stressed that he wished to avoid that and if there was agreement on the principles, the Committee could inform the provinces and workers accordingly.

Mr. Joshi pointed out that it was already decided that the average family in plantations should consist of a certain number of persons. The next question was whether the nutrition diet or any other factor should be taken as the basis. After that the capacity of the industry and national income should be taken into account.

Mr.A.B.Roy. Suggested that the Conference should proceed on realistic lines. It might come to a solution for six months and thereafter the standing Committee could go into the details periodically.

The Chairman drew attention to what was recorded in the proceedings of the first session of the Committee and point out that there was no objection to wage fixation.

Mr. Llewellyn pointed out that instead of there being a differentiation between Dooars, Terai and Darjeeling, Bengal was lumped into one in Mr. Deshpando's report.

Dr.Ramamurti replied that the variation was so small that it was not possible to make a regional classification and drew attention to the fact that the pattern of living was at a very low level without much fluctuations from family to family and and that if the figure was low in one area it might be correspondingly high a in another. He felt that the broad basic data were sufficient for a crude fixation of wages to be supplemented by the detailed enquiry which was being conducted by the Government of West Bengal.

Mr.Llewellyn stated that crude fixation was not the way on which the industry could work and pointed out that an increase of 1 anna would mean a lakh of rupees in the wage bill per day.

Dr. Ramamurti made it clear that it was crude only in so far as the regional figures were concerned.

Mr. Venkataraman argued that the figures in the Report were the best that could be had since there was no variation in the income from family to family. He pointed out that the larger, income of some families was not because a worker got more wages but because there were more earners in the family. He felt that the figures could be taken as a sound foundation.

Mr.Clarke argued that there was great difference between upper Assam and lower Assam and that the cost of living varied from district to district and stressed that only 560 budgets should not have been taken for the whole of Assam Valley.

Mr.M.M. Sen. pointed out that the Committee was not engaged in determining the cost of living.

r.B.K. Mookherjee enquired as to what would be regarded as scientific if the figures given in the report were

considered to be crude.

Mr.Llewellyn which admitting that he was personally not familar with the subject, pointed out that Prof.Mahalanovis said in his evidence regarding Jute Forecash in Bengal (for which three different methods of assessment were adopted) that anything less than 5 per cent was unreliable for random sampling method.

Mr. Stevenson pointed out that 550 families out of 200,000 gave a very small per-centage.

Mr.B.K. Mookherjee said that during his inspections he had found something interesting about the savings of the workers and wanted to know whether any investigations were made about them

The Chairman replied that probably that was not done.

Mr. Stevenson quoted some statistics regarding the worker savings and stressed that it would be incorrect to any that savings were nil.

Dr. Ramurti, pointed out that a quick sample enquiry was required, to be conducted in about 30 selected gardens, the number of gardens was later raised to 43 to make the enquiry to show that for sampling of theproposed size, the results were quite accurate. He drew the analogy of a cask of milk and pointed out that for testing themilk one ounce anna would be enough since it was all uniform. The case of the families of workers was ~~si~~ similar. The internal evidence collected during the enquiry showed that the variation from family to family was very little. He felt that if 5,000 buegets were collected instead of 500, the error would have been diminished by about 1/10th. He then ~~explain~~ expained how the costs of the balanced and compromise diets were worked out and pointed out that while suggesting the rates of wages due care was taken to see that the s ggested wages might not be unreasonably and unrealisticaly high. Citing the experiance of even advanced countries, he pointed out the difficulty of correctly filling the column for savings or indebtedness and stressed that the figures obtained could not be placed much reliance, upon.

Mr.Clarks agreed that the industry could not complain at present that the scope of the enquiry was limited and made it clear that they had no disagreement about the dietory figures or the family consumption units. The main point of disagreement was that colossal areas like the Assam Valley were grouped as one. He argued that there were areas where there were facilities for fishing, and income from rice fields or sugarcane could be had whilst in some other no such facilities were cavailable and as such the income from these sources varied from place to place. He felt that for these reasons for the figures given in the Report could not be taken as a basis for wage fixation.

The Chairman said that he had a clear resolution that it was agreedat the last conference that some euquiry ought to be conducted before the industry could come to any definite figures of wages and that as suggested Mr. Griffths (I.T.A.) a rapid enquiry on a random sample method was accepted. He accep the contention that there were variations within the areas but pointed out again that the committee was not a wage Board. He wanted to know whether the work of the last Session of the Committee could be completed, that is, whether an ad hoc increase in waves could be agreed to rectify the position as far as it was possible and to leave the subsequent work to the Wage Boards. He felt that an agreement not only between the employers and the workers but also of the Provincial Governments was necessary and that if some agreement could be reached, the Provincial Government could then proceed with the necessary legislation and set up the Wage Boards. Pointing out that the sample enquiry was conducted in consultation with the industry in order to arrive at a quick basis of agreement and action; it was for the committee to decide whether that action should be taken

Mr.B.C. Ghosh wanted to know whether any guarantee was forthooming that any increase in wages would be utilised for improving the workers' diet and would not increase absenteeism. He argued that at the time of the enquiry the employers were not present and thatx they were consulted with regard to the wages only.

The Chairman pointed out that it was strongly emphasised that Mr.Deshpand should work in the closest consultation with the industry and the management and that he shoudl give gardens every opportunity to give facts and figures.

Mr.Chatterjee make it clear that the managers of the gardens were duly consulted in regard to the enquiries.

Me.Ghosh again stressed that the question of surplus should have been investigated into. He urged that steps should be taken to see that food stuffs have made available to the industry in order to enable it to distribute them to the workers.

The Chairman remarked that the Committee was having discussions to find a basis for fixing a fair wage for the worker and as such questions about his savings a drinking habits were irrelevant. There was ample evidence to show that the workers' conditions were bad and Major Lloyd Jones had observed that the most important single cause of ill-health was the poor standard of nutrition, which it might not be possible to give the labourers a perfectly nutritious diet, the Committee should determine such wa wages as would enable the worker to get just enough.

Mr.Stevenson maintained that if Government suggested that the industry should provide for more money for the labourers to purchase more food, Government must undertake the responsibilit to give the industry the food to be distributed to the workers. Describing the grave food situation in thecountry he pointed out that if the management failed to supply food, the labourers might even kill many members of thestaff and therefore in case the Government failed to supply food, the industry should be allowed to make purchases from outside.

Mr. Tripathi drew attention to the competition from Java and Brazil .where labour is well-fed andstressed that for successful competition the physical conditions of the Indian labourers should be improved by good diet. He pleaded that some immediate increase in wages might be given and that the wages Boar might consider other things subsequently. He appealed to the industry to do something so that the conference might not in end in failure.

Mr. Liewellyn pointed out that in the course of the discussions several things were done, viz. the greatest slur on the industry had been wiped out i.e. no child below 12 should be expected to work, the plantation legislation was agreed to, the provisions for medical care suggested by Major Lloyd Jones were also accepted.

Mr. Sundaram argued waged that instead of starying away from the point, certain principles of wave fixation may be laid down which would serve as a guide to the Wage Boards in the Provinces.

The Chairman felt that if the Committee failed to come to an agreement on the wage question, the Provinces would start settingup their own Minimum Wage Boards and in that case different standards and methods might be adopted in different provinces. He pointed out that at the last Conference a Wage increase and a hurried sample enquiry were contemplated and that the present enquiry was even bigger than what was agreed to. He suggested that methods of wage fixation should be agreed upon before the Committeed was adjourned.

Mr.S.C.Joshi suggested that the rates should be so fixed as to enable the worker toget a balanced diet, provided he worked for 8 hours a day.

Mr. Llewellyn wanted to know whether the Provincial Governments would go by therates which might be fixed by this Committee or that they would be fixed according to Minimum Wages Act.

Mr.Sundaram pointed out that while he could not commit his Government, the Government would fall in line but if the industry and the workers' representatives would come to an agreement.

The Hon'ble Mr.K.P. Mookherjee said that since Government had convened the Conference, it could be expected that the Governments participating in the discussions would respect the outcome of the Conference.

Mr. Baruadis said that on behalf of the Government of Assam, he agreed with the Hon'ble Mr.Mookherjee.

Mr. Llewellyn pressed that it should not be a recognised principle that year after year the representatives of the industry must be brought to the Tripartite Committee to give away more wages. Pointing out certain demerits of the Beshpandi Report he felt that if the Committee attempted to reconnsider all the differences it would virtually be an impossible task. He argued that the industry was at the end of a period of prosperity and that according to Mr.Huxby of the International Tea Marking Board, by 1950 there would be a buyers market, i.e. the buyer would dictate the price to the seller. He stressed that the differentiation which existed in the varioas parts of North East India should be preserved and made the following suggestions.

So far as Assam was concerned, the industry agreed that the D.A. should be raised from -Ø2/- to Rs/4/- per day for men and women and half of that for children. For Bengal, it was agreed that for Terai and Dooars - the D.A. should be raised from -/2/- as. to -/4/6 as. for men and women and half of that for children and for Darjeeling from -/2/- to -/3/- as. But as soon as the Government of West Bengal could provide the industry with rice at controlled rates would also be the same as those of Terai and Dooars. As regards Cachar and hill tracts, pointing out the difficulties of production and the lower yield per acre he suggested that d.a. should be raised from -/2- as to -/3-as.

He again stressed that there should be an understanding from Government that future tripartite Conferences would not attempt fixation of wages, that fixation of wages should be done under the Plantation Act and that Wages Boards should be set up.

Mr. Walker pointed out that in South India a Wage Fixation machinery had been functioing since October 1946, and felt that there was no justification in increasing the existing rates in South India. He drew attention to the fact that Mr. Deshpande had drawn no conclusions regarding his enquiries in South India and argued that his reference to malumtrition was not correct. Referring to Tripartite Conferences to be held at Travancore, Bangalore and Madras, he stressed that the industry could not be expected to give concessions to the workers merely on sentimental grounds and maintained that since no scientific figures for South India were given to show that the rates at present given were not adequate, ther was no case for a wage increase.

Mr. Venkataraman stressed that it was clear from the reports that the condition of labour both in the north and in the south left much to be desired and that one visit to see the houses, the clothes and the diet of the workers would make the position clear. Referring to the argument put forward by the industry that it was not in a position to pay higher wages, he felt that if that was true, it should be scrapped, as it was meaingless to suggest that for selling tea to world markets workers in India should be starved. He suggested that for 8 hours work, a balanced diet must be made available and in Assam or North India 5/8th of that should be fixed and wages calculated accordingly.

He quoted certain fugures worked out on this basis and stressed that a flat increase of 8 as. over the present wages should be given to all the workers in tea, coffee and rubber plantations and fixed as an intorim wage till legislation was enforced.

Mr. Soutter felt that Mr. Venkataraman's suggestion was without any factual background.

The Chairman suggested that Mr. Joshi might put the case to both the sides. Agreeing that the Tripartitie machinery could not fix wages every year, he pointed out that an attempt to do so was being made by the Committee at the instance of the industry itself. Moreover, legislation would take time and it was really in a friendly spirit a that an attempt was being made to meet both sides in the interval. Although it was realised that Mr. Deshpande's Report was not a perfect one, he should be given credit for having done well a very difficult job.

Mr.P.C. Chaudhrypointed out that in Cachar the workers were already getting one anna less and according to the present proposals of the industry they were to get one less even in d.a. Referring to p. 71 of theReport he made it clear that he could not accept the proposal of the industry and signified his association with Mr. Venkataraman for an interim increase of -/8/-as.

Mr. Joshi. pointed out that if some seltlement could be arrived at by agreement a peaceful atmosphere in the industry could be maintained. He argued that it was evident that the workers inall plantations were suffering from mal-nutrition and as such it would be necessary to increase to increase their earning capacity. Mr. Deshpande's report made itclear that the labourers were utilizing what they earned in a proper way and it was likely that they would utilize their money to their best advantage if they were paid more. The report showed that for a nutrition diet a worker should be paid more than two rupees for 8 hours work and Rs, 1/8/- if he worked for shorter hours per day. Referring to theargument that in South India, the workers were free from maluntrition, he pointed out that the amount spend on food per day per consumption unit was Rs. -/6/7 in tea plantations, Rs. -/5/- in Coffee plantations and Rs.-/7/9 in rubber plantations.

Mr.Souter drew his attention to the fact that in south India the Industry was providing the basic cereal rations to the workers at pre-war cost.

Mr. Joshi continuing his argument pointed out that the proposed addition of 12 annas per day was not adequate. He felt it was desirable that the matter should be settled and peace maintained. He requested the Labour leaders to cut their proposal for an increase in wages by -/8/- annas per day and appealed to the employers' representatives to raise their offer of -/2/- per day. In thecase of South India too, he felt that it was necessary to give substantial increase in wages. As a mean between daily earnings for the work worker was doing at present and that if he worked harder and longer in South india he should benefit more. He further suggested that this increase should be distributed equally over the basic wages and the d.a.

Mr. Souter argued that the broad conclusions arrived at regarding mal-nutritution in South India were the result of war conditions and was not due to the relation which was being given at present. He felt that there was no factual background for what was proposed.

Mr. Llewellyn wanted to know whether the proposed compromise between -/14/- annas and Rs. 1/8/- included the food concessions in fixing the minimum wage.

The Chairman replied in the negative but said that that might be taken into consideration in fixing the minimum wage.

Mr.Llewellyn pointed out that -/6/- annas was the cash value of food concessions at present.

Mr. Sundaram felt that Mr. Joshi did not go for enough and said that he would very much prefer that the basic wages were kept as they were but that the d.a. be based on cost of living indes. He suggested that the d.a. might be calculated at the rate of about -/12/- as per point of rise in the cost of living and that the basic wage might beleft at -/8/- annas a day as atpresent.

An employer pointed out that their offer was based on the difference between present and the compromise diet and that there was no cost of living index for Assam.

Mr. Walker wanted the Committee to bear in mind that the tea industry in South India was suffering from an attack of a Post which might reduce the output by 50% and conseqnently lead to a reduction of the labour force.

Mr. Barua quoting certain figures atressed that the workers should get at least Rs. 1/2/- per day.

Mr. Ghosh pointed out that the cash value of concessions which was previously -/4/- annas per day would work out to -/6/- as . at present.

Mr. Joshi enquired if the proposal to link the d.a. with the cost of living was agreed to.

Mr. Sundaram pointed out that the industry was agreeable to the basis but not to thequantum.

Mr. Joshi drew attention to the fact that in all courts of adjudication the rate has been fixed at more than -/2/- annas per point of rise in cost of living.

Mr.Sundaram said that keeping in mind the question of concessions like medical aid etc., he had suggested only -/2/ annas.

Mr. Barua wanted to know whether there was any cost of living index for Assam.

Dr. Ramamurti replied that under the Government of Indi cost of living index scheme, family budget enquiries were conducted in 2 centres in Assam. The cost of living index numbers were based on 1944 prices. He expected that in another 6 months, cost of living indices for all the 27 centres, where family budget investigations were conducted under the All-India Scheme, would be available. In Bengal also, there were 2 centres. He added that 17 centres for retail price collection had been set up in the plantation areas (6 for the South and the rest for Assam and Bengal) and cost of living indices for these centres would be available within another 2 or 3 months.

Mr. Sundaram suggested that it was safer to go on what was already available, viz. the cost of living index Nos. for Madras

Dr. Ramamurti pointed out that the Government of Madras were compiling cost of living index figures for 12 rural centres and the cost of living index no. for a pural centre near about plantations could be utilised.

The Chairman said that even if it was agreed to link up d.a. with the cost of living index it was not possible to work up mathematically at present. He asked the industry whether it was possible to arrive at some rough and ready figure for North Indi

Mr. Stevenson replied that it was not possibee for the industry to give away a crore of rupees by giving a rough and ready figures.

Mr. Sundaram pointed out that it was common knowledge that the Cost of living had risen by about 200 per cent in Delhi for example and felt that it was quite possible to keep the basic wage as it was and to give a rough and ready figure solely for the rise in the cost of living.

The Chairman said that it would be a sort of compromise

Mr. Llewellyn pointed out that the offer made by the employers would cost the industry a lakh a day. He conceded that although that offer would not give to everybody all that was necessary, he felt that it was a very substantial offer on the basi of the Report about the accuracy of which there was so much of dispute.

Mr. Tripathi stressed that there should be some provision for proteins in the diet such as milk, fish and felt that that would not be possible with a increase of -/2/- as. He asked the House to consider also the position of the family income consequent on the abolition of child labour.

Mr. Clarke wanted to know whether Mr. Tripathi would agree that everywhere in Assam there was acute shortage of milk.

Mr. Tripathi agreed.

Mr. Clarke then pointed out that theindustry was spending thousands of rupees to increase the capacity of the cows and even if the workers were given Rs. 5/- more it would be difficult to supply a little milk to them.

Mr. Tripathi said if wages were increased workers could purchase milk, fish or fruits or something to supplement their diet.

Mr. Souter stressed that Travancore workers were proper properly fed and that after the annual account for 1947 was settled the workers were found to have some surplus, viz. Rs. 66 for a man Rs. 50 for a woman and Rs.39 for a child.

Mr. Sundaram asked whether he was sure that the worker had no other liability.

Mr. Joshi then made a final appeal and suggested that in Northern India, there should be an increase of 4 as. in the case of Assam and Bengal except Darjeeling and the hill areas, where 2 as. should be added. The diffentiation in the case of hill areas was due to the fact that the concession of food and oth-er things was heavy and to the extent to which cost of living was higher, the workers got more by way of supply in kind at concession rates. In the case of South India, he suggested an increase of 4 annas.

Mr. Gurung pointed out that in Darjeeling while rice was purchased at a high price because of transport difficulties, the price of other commodities were also similarly high, but rice was the only item supplied at concession prices.

A Member suggested a flat rate for all areas as in Darjeeling planters got high price for tea.

Mr. Joshi then suggested a flat rate of -/3-6 as. everywhere.

Mr. Walker wanted to know the rate that was suggested for children.

Mr. Joshi replied that children above 12 would get 4 annas as also women and these below 12 would get half of 4 as.

The Hon'ble Mr. Mookerjee said that a golden mean was suggested which should be accepted.

Mr. Sundaram pointed out that it was only an interim arrangement till the wages Board was appointed.

Mr. Ghosh wanted to know whether the Bengal Government would give the industry an assurance to supply rice at controlled price.

Mr. Venkataraman expressed his utter surprise at the proposed increase of 4 annas which he felt was for too inadequate to meet the needs. He was sure that any Court in South India would give more than -/8/- annas suggested by him. He, however, suggested that the proposed increase might be given with effect from 1st January 1948. He pointed out that the question of bonus was overlooked and felt that it would satisfy labour if the proposed increase was least given the retrospective effect.

Mr. Souter pointed out that the rates obtaining in Travancore were higher than Assam to the extent of -/5/7 per man, -/2/9/ per woman ad -/2/3 per child and wanted to know why should Travancore be penalised for having kept a breast of the times.

Mr. Joshi said that the increases suggested were ad hoc increases.

Mr. Tripathi thanked Government for the trouble taken and suggested that the Provincial Governments should push through legislation quickly. He expressed the hope that, unlike last year, the industry would not in rease the work loads. He, however, felt that the question of loss of family income due to ban on employment of children below 12 should have been taken into consideration.

Mr. Ramana quoted certain facts and figures from Mr. Deshpande's Report on South India and argued that a uniform increase of 4 annas on tea as well as Coffee would be very hard on Coffee industry. He stressed that the matter should be leftto the wage boards of Mysore and Coorg.

Mr. P.C. Chaudhry asked the employers' representatives t reconsider his proposal for an incpease of 4 annas.

Mr. Walker supported Mr. Ramana's suggestion.

The Chairman wanted to know whether it would be possible for the provincial Governments to set up the Wage Boards immediately

Sundaram

Mr. Sundaram said that if the question was not settled, the Provincial Government would set up the Boards under the Minimum wages Act immediately.

Mr. Bhombhore said that the principle might be decided by the Committee and the details left to the Wage boards.

Mr. Bhombhore said that the principle might be decided by the Committee and the details left to the Wage boards.

The Chairman pointed out that so far as South India was concerned they were aggreeable to the setting up of wage boards immediately.

Mr. Venkataraman felt that the Provincial Government would take long to appoint the Boards.

Mr. Llewellyn said that they were prepared to pay -/3/- annas to everyone and nothing more.

The Chairman pointed out that Mr. Joshi felt that if wages boards were set up district by district, there would be a lot of chaos.

Mr. Souter said if sometime was given to them to readh a decidion, they could do something apart from the ad hoc dedision

Mr. Joshi felt that if the matter was referred to a Tribunal, the increase would be much more than -/4/- annas.

Mr. Soutar agreed that that was possible.

Mr. Stevenson wanted an assurance that the industry shoudd not be brought again to the Tripartitle Conference in a Year's time and asked to pay something more.

The Chairman said that the only thing that could be included was how the Wages Boards could be constituted and wanted to know whether it was agreedh that the question of wages increase should not come before the Tripartitie Committee.

It was agreed that the quantum of wages would not be taken of before the Tripartitie Committee any mere and that if the question of wages was to come up it would come before the Wages Board and that the Board would be constituted after consultation with the Tripartitie Committee as to its composition etc.

Mr. Llewellyn wanted to know the views of the Labour to representatives on the conversion of the concessions into -/4/- annas, i.e. instead of getting food at concession rates, the worker could get -/4/- annas in cash.

Mr. P.C. Chaudhry urged that the existing system should continue.

Mr. Joshi made a further appeal and suggested that -/3-6 should be applicable to all areas half rates beingprescribed for children.

Mr. Venkataraman suggested that for children the rate should be -/2/- annas.

Mr. Joshi made it clear that he was not prepared at all to make anyother suggestion.

Mr. Walker said that South Indian plante
pared to accept the suggestion of the Madras Government representative.

Mr. Sundaram pointed out that his suggestion was made when he thought there would be no agreement at all.

The Chairman declared that the suggestion was
grown ups and -/2- for children

Mr. Llewellyn said that they were prepared to accept the suggestion if something could be done about Darjeeling.

The Chairman then made the position clear by declaring that there should be a flat rate of increase of -/3-6 for grown ups and -/2/- for children for all areas except Darjeeling, Cachar and Tripara State for which the rate of increase would be -/3/- as for grown ups. and -/2/- as. for children.

Mr. Soutar pointed out that he could not accept the rate for Travancore.

Mr. Venkataraman said that when for 5 hours work an increase of -/3/6 was proposed, how could Mr. Souter expect workers to work longer hours without any inncrease.

Mr. Soutar still maintained that the workers in Travancore were on a very much higher level.

Mr. Sundaram pointed out that the present increase was an interim affair and the matter could be taken up later with the Wage Boards.

The Chairman pointed out that the other alternative was to appoint wage Boards under the minimum Wage Act which the Madras Government was prepared to accept.

Mr. Walker said that they were also prepared to accept THAT.

The Chairman characterised that as a suicidal policy under which there would be very many fluctuating rates.

Mr. Venkataramanan appealed to the South Indian Planter to fall in line and accept the proposed increase.

Mr. Soutar again pointed out that even with the proposed increase the North India rates would not come up to the Travancore level.

Mr. D.C. Dass pointed out that the South India rates wer higher because the workers worked for longer hours and that as the general opinion was in favour of increasing the rates for North India, it was justified also in the case of South India.

Mr. Walker explained the difficulty of the rubber indust and argued that the proposed increase could not apply to rubber. As regards Coffee, he felt that it was impossible to give any increase. As regards tea, he pointed out that the case was the same as that of Darjeeling. Referring to the hours of work, he plead that in actual practice the workers worked for less than 8 hours. He stressed that some special consideration should be given to the South Indian plantations.

Mr. Llewellyn signified the acceptance of I.T.A. to the following:-

-/3/- as. increas in d.a. for Darjeeling, Cachar and Tipperat areas for adults, and -/2/- as. for children; elsewhere, -/3/6 as. increase for adults and -/2/- as. for children. No child below 12 should be allowed to work and that there should be no furth wage fixation at Tripartite Conferences but that the matter shoul be left to the Wage Boards to be set up under the plantation Act. He wanted to know the date for introducing the new wages.

Mr. Stevenson stressed that the Wages Boards should be set up after consultation with the Tripartite Committee and that the new rates should come into force from 1st May 1948.

The Hon'ble Mr. Kalipada Mookerjee thanked the represen tatives of the workers and the employers, particularly Messrs. Venkataraman, Tripati and Llewellyn.

Mr. Walker proposed an increase of -/2/- as. per man and -/1/6/per woman on Tea and Coffee plantations in South India and pleaded that rubber plantations should be excused.

Mr. Venkataraman refused to accept the proposal.

Mr. Joshi felt that there was no reason to make any diff erence between South India and North India and again appealed to the Industry to accept the formula suggested.

Mr. Soutar pleaded that production in South India was mu less inspite of 8 hours work per day and that payment of wages had to be correlated to production.

The Chairman pointed out that taking into account the last year's in reason and this year's proposal theincrease in the North would come to -/5/6 as. as against -/3/6 in South India and that again for 8 hours work as against 5 hours work in the North.

Mr. Walker felt it would be unfair to base the orgument on the figure of 8 hours.

The Chairman pointed out that the fact remained that the North were to pay -/5/6 and the South only -/3/6.

Mr. Souter pointed out that before the last conference, the basic wages were increased by -/1/- anna.

Mr. Ghosh wanted to have a copy of the entire prodeedings instead of a summary.

The Chairman pointed out that the discussions had been xxx scarapply and wanted to know whether he wanted any particular speech to be circulated.

Mr. Ghosh wanted to have the entire proceedings.

The Chairman promised to give him as much as possible.

Mr. Stevenson thanked the Chairman and Mr. Joshi and expressed his gratitude for the assurance given by Government that tl they would not be brought again to be asked what they were going to pay.

Mr. Ghosh associated himself with the remarks of Mr. Stevenson and conveyed his thanks to the Hon'ble the Labour Minister He stressed that labour should be taught the necessity of working for an eight hour day from a national point of view.

Mr. Sharma associated himself with the views of the previxous speakers.

Mr. Walker felt it would be of assistance if the matter was discussed x between the representatives of the South Indian industry and the Provincial Government and if Mr. Joshi could come down to South India.

Mr. Sundaram felt that it was necessary to set up Tribun immediately to g into the questions and requested the Chairman to/go into the question and requested the Chairman to release him from the undertaking that the question would not be decided except through the Wage Board.

Mr. Soutar requested that the matter might be discussed for a few minutes after the North Indian leaders left the meeting.

Mr. Stevenson said that labour leader had agreed that no rates should be introduced from 1st May 1948.

Mr. Llewellyn thanked Mr. Tripati and felt that it would be a pleasure to work together.

Mr. Tripathi thanked the Government and also the employe He also thanked the Government officials who had calculated the figures etc on their behalf and congratulated them on their success. He thanked the Chairman and the Hon'ble the Labour Minister. He appealed to all sections that the example of opening dairies followe by certain gardens should be followed by others. The xxx practice o putting cows into pounds and pumpting money out of the labour should be stopped.

Mr.D.C. Dass apologised for not attending the Conference during the first two days as he was busy elsewhere. He thanked the Chairman and Mr. Joshi for the conduct of the Conference.

A Labour Member suggested that the proceeding of the Conference should be sent to Tripura State so that they could follow the suggestions.

The Chairman thanked all the members of the Committee fo r their x very kind co-operation with him in trying to get about some settlement. That was possible through the inspiration of the Labour Minister. He expressed x his gratitude to Mr. Joshi and all members of the Ministry who had given him every possible help and produce figures at short notice in order that the Committee could come to a compromise. He thanked the offiece, the employers, the workers and the Provincial Governments for all the xxxxxxxx assistant they had given.

Before the meeting concluded an increase of -/3/6 as., -/3/ and -/2/- for adults; -/2/-, -/1/6 & -/1/- for children in Tea, Coffee and Rubber Plantations respectively in South India was

Item II - Medical Care.

Major Lloyd Jones. said that he had gathered that, except probably for the Jalpaiguri Association, an had on the whole agreed to his proposals and suggestions. He felt that the establishment of garden hospitals was really a basic need from the point of view of medical cure. In spite of some suggestions to the contrary, he was convenced that for the next ten or fifteen years it was very necessary to treat the sick in the plantations in separate hospitals He felt that all things considered it would be an almost impossible task to bring the housing standard in the plantations to a satisfactory level and it was therefore, bettde to set up the standard suggested by him in his report,. Although the labourers might feel shy of going to hospitals for khm mx treatment, he felt that their treatment in their houses (which were generally extremely ever crowded and insanitary) was out of the question in view of the workers ignorance about the ways of healthy living. To educate the workers might be in ideal way but that was a long and tedious job which would talks a long time. He agreed that with a healthy population and ideal condition obtaining in the gardens, his suggestion for 10 beds per thousand of population would be/nece /un essary but for hhe time being he considered his suggestions were quite necessary. If in another 10 or 12 years' time, the number of beds became unnecessary, the buildings and shops could be used for some other purpose. Referring to the criticism that he was rather unfair to the owners of small gardens, he re-iterated that if small gardens could combine they would certainly be able to reach the standard prescribed within the most suggested by him. He said the cost was estimated with due care and though that he would be surprised if in actual practice there would be an error of even 10% in either direction. He felt confident that if the garden hospitals attained the prescribed standard considerable improvement in the health of the workers would result in no time. He, however, pointed out that for a healthty population an all round improvementand primarily the prximax improvement in the diet was necessary. He assested that one of the biggest defects of plantatio industry was the lack of adequate diet for the workers. Referring to the contention of some of the planters that the actual cost per head for medical care might come to Rs. 10 or 12 as against Rs. 7/- proposed by him, he felt confident that if the planters put the proposed scheme into operation and if proper k staff was available, sickness would be reduced enormously and thus absenteeism would be considerably less.

Mr. Llewellyn felt that the picture given by Major Lloyd Jones on pages 5 and 6 of his Report was some what overdrawn and that although conditions might have been bad immediately after the war, considerable improvements would be noticeable at present particularl as a result of D.D.T. and Paludrine. He felt that Major Jones ob— observations were largely influenced by the shock of coming into contact with a new form of industry which he had not had the advantage of comparing with other industries in the same part of the worl He, however, assured the House that the L.T.A. full realised is responsibility towards labour and that it accepted the suggestions of Major Jones. He felt confident that if after 10 years Major Jones paid another visit to Assam he would find that all the hospitals had reached the best standard. He accepted the criticism that here were doctors who prescribed cheap medicines but felt that this defect would be overcome when the pmeposed inspectorate is set up. He thought that everything suggested in the Report should be carried out by legislation but assured the House that the I.T.A. would not wait for any legislation but would at once go ahead to carry out in sprit and in leetter everything that Major Lloyd Jones had recommended. He agreed with Mr. Ghosh that all things considered the hospitals should be under the management of the industry particularly because the personal relationship between the managemen and the labourer would be greatly enhanced if the hospitals were built by the management, staffed by people paid by the management and visited by the management to keep in the closest touch with the labourers. He pointed cut that this point was not indicated in the Report but the definite view of the industry was that the hospitals should remain garden hospitals and not become state hospitals. He pleaded that since the industry had km the resources and the necessary personnel it would be be-tter to leave the management of the Hospitals to the industry instead

of entrusting the same to the Government, specially inview of constant transfers of Government Servants from one area to another, As the gardens are located in isolated palces such posting might be looked upon as a penal posting by Government Servants,. He felt Major Lloyd Jones was a bit unkind to old dectors who beeause of working in isolated gardens for their whole life were a little behind in modern medical practice. He assured that as a measure of prevention against this, the invited supplementary recommendations from Major Jones regardingthe refresher courses. He signified the acceptance by the industry of Major Jones Report in toto but wished that it should be implemented by legislation.

Mr. Venkataraman felt that the rosy picture given by Major Lloyd Jones regarding South India was based on his findings, at the some "show" gardens to which he might have been taken by the Secretary of the United Planters' Association. Surely the picture would have been similar to that Assam, if not worse, had he visited the outskirts and had not merely concentrated on his findings in and around Coonoor which apparently had a salubrious climate. He drew attention to the abominable conditions obtaining in Malpara, Naduvattan range etc.. and related how blindness was caused to a child by the prescription of a wrong medicine by a Compunder. While welcoming Major Jones suggestions regarding gardenhospitals and group hospitals, he was definitely of theview that the hospitals should be under the care and management of the Government. The planters might provide the funds and be responsible for the maintenan of hospitals but the doctors must be appointed by the Government so that workers might have the confidence that the State was looking after their health. He drew attention to certain malpractices of quacks for pleasing the management and expressed the opinion that many Government doctors might like to be posted in the hilly countries instead of considering those as penal postings. He thanked Major Jones for his very able Report.

Mr. Walker refuted Mr. Venkataraman's charge by pointing out that Major Jones had visited all the districts in the South except one where the conditions, according to the report of the Chief Medical Officer, approximated to those recommended by Major Jones. He quoted certain statistics in support of his assestion. Signifying his Association's acceptance of Dr. Lloyd Jones suggestions, he stressed that the running of hospitals should be left to the management.

Mr. Souter referring to the question whetherthe employer of the Government should run the hospitals referred to the State Insurance Scheme and asked Mr. Sundaram whether Travancore would follow the Madras example.

Mr. Sundaram replied that the Madras Government did not contemplate legislation in that respect.

The Chairman pointed out that the State Insurance Scheme did not apply to plantations. He assured the House that should it apply to plantations, the Committee would be given an opportunity to discuss the whole matter.

Mr. Ghosh raised the question whether the state also had any responsibility for medical care of workers in tea gardens or that it was the sole responsibility of the employer. He quoted extracts from the Bhore Committee's Report and pointed out that State responsibility was visualized for the general health while the responsibility of the industry was for occupational hazards. He felt that if the population of one area had moved to another, it was Governmen responsibility to provide for medical facilities to the new population. He quoted and pointed out there was nothing in the recommendations to indicate the State responsibility for medical are. He drew attention to the prejudices and superstitions of the workers and claimed that workers preferred to be treated in their homes. He felt that the suggestion of Major Jonesthat there should be one Doctor for ecvery 1, 000 or make 2,500 instead of 750 would make the number of doctors rediculously small the idea was to away with out-door treatment which was so essential in plantation ar areas.

He suggested that the group hospital should be the primary unit and a liability of the Government while the gardent hospital should be the liability of he gardens. He felt that it was unfair to call the unregistered, but capable doctors, as "quacks". He suggested the setting up of a Board which could examine these persons and if found fit declare them as qualified hands. Drawing attention the estimated cost of hospitals, and expenditure per worker he felt that small gardens would have to spend almost double in proportion to the big gardens. He expressed the opinion that grouping of spell-gardens suggested by Dr. Jones might not be always possible due to various reasons. He though that if the small gardens were asked to spend Rs. 15 or 20 per worker per annum to start with, the small gardens would be practically exinct. He asserted that the dividend was much lower than 50% or 100% as was mentioned by the Hon'ble - Minister for Labour in West Bengal.

The Hon'ble Mr. Kalipada Mookherjee pointed out that some of the firms were paying that dividend.

Mr. Ghosh felt that he would be quite happy with a 10% return on the capital employed but pointed out that it should not be confused with subscribed capital. Enumerating the difficulties of the Indian planters, he said that it was not possible to accept an expenditure higher than Rs. 10/- per worker per annum. He opposed implementation of Major Jone's proposals by legislation and pointed out that although he accepted the proposals as a desirable standard he could not agree to these being declared as a Statutory Standard

Mr. Sharma. pointed out that Major Jone's remarks on page 5 about women workers could not be cited as a conditions of bad health, since they related to the conditions of society as such. He agreed with Mr. Ghosh that it would be very difficult for the small Indian Cordons to implement the recommendations of Major Jones. He pleaded that the Indian gardens should be given 3 to 5 years' time to come up to the proposed standard. He also gave the reasons why the declared dividends did not really give an indication of the net profits.

Mr. Tripati quoted some extracts from the report, and expressed his in ability and understand whether the estimated cost was worked on the basis of workers alone or the whole population. He thanked the I.T.A. for training. accepted the Report and for signifying their insention to implement the recommendations without waiting for legilstion. He agreed with Mr. Ghosh that the small gardens might be hard hit but considering the conditions of x labour he felt that could not be helped. He wished that instead of suggesting only the minimum conditions, Dr. Jones should have sugges ed the maximum also. The minimum requirements must be accepted. He pointed out that the treatment in lines consited of 2 parts, one for actual illness and the other for general health. He stressed that instead of being content with makeng proviision for sickness allowance it was always beeter to take the necessary preceptions against sickness. Citing the case of China, he suggested that the payment of a bonus to Doctors who could keep the total number of patients below a certain percentage was worthy of emulation He re-iterated h previous view that doctors and nurses should be appointed by the Government and stressed that if there be any difference of opinion between the Doctor and the manager regarding medical care, the doctors opinion should always prevail.

Mr. Llewellyn stated that that was always the case.

Mr. Tripati expressed that the conditions obtaining in the plantations in 1947 were given x in the Report and as such there were not for the immediate post-war period.

Mr. Llewellyn remarked when the I.T.A. had accepted t he recommendations in toto there was no use debating the points further.

Mr. Tripati stressed t hat the mere fact that some of the persons in charge of gardent hospitals were nationalists should not be consider ed enough to recognise them as doctors with the responsibility of so many lives. He had no objection in accepting theee as

doctors provided if the medical service did so.

Mr.MMM. Barua fully endorsed the views of Mr. Llewellyn regarding hospitals but suggested, as a compromise between the views of the two sides, that the management etc. of the group hospitals should be taken over by Government work that of the garden hospitals be le left to the gardents.

Major Lloyd Jones, pointed out that the had been in Delhi and had toured most of India and though he had seem as much as any European could know India. Re reiterated that conditions in Assam were wors than in most parts of India but felt gratified to know that conditio had improved after his visit to the areas. Quoting certain passages from his Report, he said that it was his feeling that the deteriorations was the direct result of the war, that the case for Government taking over the management of the hospitals was week and that the expansion and improvement of the medical service should be undertaken by the owners of the plantations and not by Government. He made it clear that he dis not think that the average doctor in the tea industry was a bad one but he was opposed to he idea of permitting unqualified doctors. He conferred his ignorance of the extract position of the doctors who were in the national schools but considering the fact that they were few in number he believed that it would be possible to absorb them without difficulty. He suggested that the industry should get in touch with the D.G.I.M.S. and ask him what steps he could suggest for sharing short post-graduate courses for the doctors in the Tea-industry. He refuted Mr.Venkataraman's charges and made it clear that he was never accompanied by the Secretary of the United Planters Association in his visits to the S.I. gardens. He pointed out that he had visited some 42 gardens round about Wyanad, the Amamalasis ar Coonoor and the worst were round about Coonoor. He drew attention to pages 14 and 15 of his Report and felt that a close examination of the Report would reveal that it was not, on the a balance, in favour of South India. While agreeing with Mr. Ghosh that generally the medical care of the population should be the responsibility of the Government, he pointed out that the practical side of the matter should not be lost sight of. He was convinced that if the stand-ards suggested were reached, that would pay the industry many times more. He felt that there was no necessity of answering. He was convinced that if the hospitals were reasonably comfortable and if th whole matter was explained to the people, there was no reason why people should not go/the hospitasl were reasonably comfortable and if the whole matter was explained to the people, there was no reason why people should not go to the hospita ls. He illusted the point by citing his personal experiences during his tours,. He agreed with Mr. Ghosh that some amount of line treatment and out-door treatment was necessary and that it was cheaper too. He felt that Mr. Ghosh's reference to the Bhore Committee was beside the point and pointing out that the standard of medical care in the plantations was far in advance of the average state of medical care in India as a whole. He was convinced that further improvement was necessary not only in the interest of the people but also in the interest of the planters. While conceding that his recommendations would be hard to follow by small gardens, he re-itarated that the grouping of small gardens was the best solution, although it might be difficult to do so in some cases, e.g. in Darjeeling. Since the industry was well organised it should be possible for them to chalk out some plan in his respect. Replying to Mr. Tripati's point as to whether the estimated costs were bases on the whole population or the workers alone, he pointed out that since much of the disease prevalent in the tea gardens was infections, it was dangerous to leave out any sector untreated. He drew attention to the fact that in his Report he had laid great stress for closer cooperation between the Provincial Governments and the owners in matters relating to groups or regional hospitals and felt that that was a vital matter. He of cou se realised that gourp hospitals etc. would come after some time yet and stressed that the gardent hospitals should be set up fir

The Chairman felt that Major Jones had meet all the criticisms and hoped that the standards suggested by him would not be lowered and that although the difficulty of the small gardens was realised, the standards should be accepted.

The House signified its acceptance.

The Chairman then pointed out that Major Lloyd Jones dealt only with tea and a decision was, therefore, to be taken for other industries as well.

Mr. Scutar agreed for rubber.

Mr. Walker expressed the view that the Coffee growers had no objection but for want of necessary funds it might take a little more time than was prescribed.

The Chairman then ~~cancuneed~~ announced that the standards applied to rubber and coffee plantations as well. Referring to the case of small gardents, he pointed out that in the first meeting he had suggested that, a small cess dispensaries would be provided but that suggestion was not accepted by the industry. In case any employer provided facilities above the minimum standards the cess would be refunded so that the laibility would be limited to the cess. He suggested that some plans might be divised by which planters who could not come up to the prescribed standard could approach the Government of the Committee for exemption from the responsibility of setting up the hospitals on payment of a cess as decided by the committee. He felt that the difficulty of small gardens should not stand in the way of standards. Lastly he took Government control of hospitals to mean control by the local boards.

Mr. Sundaram pointed out that Government could even control directly

The Hon'ble Mr. Kalipada Mookherjee. pointed out that there were two kinds of control, one directly under the control of Government and the other managed by local badies and inspected by Government doctors. He was of the opinion that if the industry wanted to run their hospitals subject to inspection by Government, that might be adepted for the time being.

The Chairman said that he was visualizing that it would be one of the functions of the works committees to see to the complaints and that would give much more control direct to the worker than by Government controlling it.

The Hon'ble Mr. Kalipadal Mookherjee. felt that if certain specifications were laid down by law and if those were conformed to by the management and if Government set up a machinery for inspection that would serve the purpose.

The Chairman said that he would live to see growing up a sort of workers' interest in the hospitals, He felt that in addition to Government inspection it would be desirable to promote the interest of the workers in the running of the hospitals by setting up workes committee in which all hospital affairs could be discussed.

Mr. Venkataram apprehended that the workers might not be satisfied with the proposed arranement and suggested that it would be better if the local boards could find the funds for running the hospitals and that the Government surgeon appointed the doctors.

The Hon'ble Mr. Mookherjee suggested that the matter might be left to the decidion of the Provincial Governments.

Mr. Soutar felt that the hospitals should be left to the employers

Mr. Barua stated that in most of the gardens there would seen be workes committees. Further that in many tea gardens in hospitals were run in a much better way than the Government hospitals. In the case of smaller gardens when the desired standard was not bein maintained, the standard could be raised by legislation.

Mr. Ghosh preferred the levying of a cess to the imposition of statutory standards.

Mr. Llewellyn said that it appeared that a cess would be imposed on the smaller gardens and wanted to know whether they would get help from the bigger gardens and the Governmant.

The Chairman explained that that might be possible and although he could not say at that stage what the amount of cess should be,

he indicated that it would it be something which would enable the Government to discharge their responsibility.

Mr. Venkataram pointed out that the point was already covered by clause 10 of the outlines of the proposed legislation.

Mr. Harper wanted to know whether the cess would be imposed even o gardens in which hospitals had a higher than the prescribed standard.

The Chairman pointed out that in the case of coal, the cess was collected from all in the first instance but if it was later on found that hospitals arrangements in a particular colliary were satisfactory, the money was refunded.

Mr. Soutar remarked that it would take years to recover the money once it was paid to the Government.

Mr. Llewellyn pointed out that the cess was something which would be imposed on the whole industry but if the management it was to pay it first and to get the refund afterwards, it would really mean an imposition on the defaulters.

The Chairman said that a rate would have to be worked out which would be applicable to both large and small gardens.

Mr. Llewellyn pointed out that the general collection might not enable the smaller gardens to provide the necessary medical assistance and Government might have to step in to cover the gap.

The Chairman, made it clear that Government would have to decide that

Mr. Ramana pointed out that in Mysore the hospitals are run and financed by the Government by He feared that once clause 10 of the proposed legislation was introduced, the Government might say that the cost of plantation hospitals should be met by the planters.

Mr. Sundaram explanined that there was no danger of that kind.

Item III - Outlines of legislation for regulating conditions of work in plantations including inspection M

Mr. Llewellyn while making it clear that the ultimate decidion in the matter would lie with the Legislative Assembly, stated that he had no objection to clause 1, 2 and 3. As to clause 4, he felt that the owner of a private property should have the right to exclude undesirables from that property.

Mr. Venkataraman remarked that possibly it included workers' representatives.

Mr. Llewellyn remarked that that depended on the behavious of the persons. He wondered, whether, as suggested in clause 5(b), it would be possible for the Legislature to frame regulations regarding the selection and preparation of sites for house construction and the size of the plots, He pointed out that he understood that so far as clause 10 was concerned, the industry had the right to d the work and the Provincial Government would /d have the power to maintain the services if there was any default and in no other circumstances. He accepted clauses 11,12,13 and 1 and thought that clause 15 and 16 would be covered by the Factorie and the Maternity Benefit Acts. Clause 17 should, in his opinion, be discussed separately and that the fair basis for clause, 18 would be the area undertea f so far as tea was concerned.

Mr. Clarke felt that in setting up these Wage Boards, Government s should consult the industry regarding their composition.

Mr. Ghosh pointed out at the outset that service he did not get a copy of the relevant memorandum, his views should not be binding on his Association. He agreed with Mr. Llewellyn's remarks with

regard to clause 4 and said that he felt that there should be some control by the management.

Mr. P.C. Chowdhury wanted to know what he meant by the vague expression "some control".

Mr. Ghosh said they had no objection to giving access to a Government official and declared that every facility would be given for the formation of trade unions on reasonable lines. He pointed out that no money lender or a Kabiliwalet would be allowed access. He felt that the word "acquision" in clause 6 and "administer the estate" in clause 5(b) required clarification. He suggested the addition of a clause to clause 7 to provide for securing that a worker isevicted from the gardent if the decision had been to that effect and it has been up held or no protest or appeal was made against it. The Hon'ble Mr. Mookherjee said that in such a case in workers wouldbe a trespass and the state would take proper action.

Mr. Ghosh pointed out that that would mean going to the Court and hence delay. He, therefore, preferred to have the proviso. As action on clause 9 will guided by the decision of the Central Government of the Provincial Government, the industry might comply with the standard fixed under that clause. He agreed with Messrs. Llewellyn and Clarke with regard to other points.

Mr. Barua was of theopinion that the exemption under clause1 should be apply to gardens employing more than 50 persons and agreed to clauses 2 and 3. He agreed with Mr. Llewellyn with regard to clause but did not agree that the Government should go and select a site for the Housing Board as provided in clause 5. In regard to clause 6 he suggested that the Government should take up a quick programme of housing and that funds should be raised for the purpose. He agreed to clause 7 to 11 but suggested the substitution of the word "Regulations" in clause 12 by the word "arrangements" and also the deletion of ~~the~~ "he words" by the employers" and "another independent person".

The Chairman pointed out that the industry might require a Statistician.

Mr. Barua said that case the provision should be specifically made for "Statistician" or "Technician".

~~for "Statistician" or~~ He agreed to clauses 13 and 14 and suggested that clause 15 might beconsidered later on. With regard to clause 18, his view was that the contribution should be fixed on the basis of output on being questioned by some one as to who would check the putput, Mr. Box a pointed out that the records as also the Central Excise Department would be there.

Mr. Sharma agreed with Mr. Barua that the figure in clause 1 should be raised to 50. He agreed to clauses 2 to 5. As regards 5(b) he agreed with Mr. Llewellyn and suggested that the question in clause 6(a) should be left to the gardent rather than to the Government. He agreed to clause 10, subject to what was said in the discussion regarding medical care. He felt that the obligation of the Government to make food stuffs available to the planters should also be laid down in clause 12. He did not know how a statistician could be considered as an independent person. He accepted clause 14 subject to the decision and wanted that the industry should be consulted in the composition of the wage Board. As to clause 19 he felt that the contribution should be based on area.

Mr. Clarke suggested the substitution of the word "Specifications for the word "plans" in paragraph 5.

In reply to Mr. Sundarams query whether the Act would apply to all agricultural land the Chairman pointed out that the Act would apply to land under Tea, Rubber and Coffee only, He agreed to the addition Cinchona as suggested by Mr. Walker.

Mr. Walker accepted clauses 1 5(1), 7,8,9,10, and now 17 but

now 17 but opposed 5 (b) and (c), 6 and 18. He wanted exemption for Plantations employing 100 workers and the inclusion of Cinchona Plantations under the Act.

Mr. Venkataraman suggested that the Act should be made applicable to all plantations employing 10 or more workers and felt that it would be hard on the workers if the number was increased to 100. He welcomed the extention of the Act to Cinchona and pointing out certain practical difficulties suggested that clause 4 should be retained as such. He suggested the addition of another clause under clause 14 to provide "that the spread over the work shall not be before 7 a.m. and after 5 p.m." when Mr. Soutar pointed out that work in rubber plantations had to begin in the cool atmosphere of the morning, he agreed to exempt the rubber industry from his proposed additional clause. He further wanted to have an additional clause to the effect that no person who had put in 6 months' service should be discharged without reasonable cause and if so discharged he would have a right of appeal to the Labour Conciliation Officer.

Mr. Tripati stressed the retention of clause 4 and explained that there need be no apprehension for communist propganda. He did not accept Mr. Ghosh's arguments.

Mr. Venkataraman felt that the dedision regarding working hours could be left to the Provincial Governments.

Mr. A.B.Roy. said that if clause 4 was retained as such, it would be difficult to maintain the Chowkidarse against thieving etc. and in that case the Provincial Governments might have to take that responsibility.

Mr. MM. Sen suggested the addition of the words" in consultation with the management" to Clause 16.

Mr. Ramana stressed the necessity for prohibiting access to outsiders - He suggested that the plans of the houses should be left to the planters and opposed clause 6(a), (b) and (c). He also stressed that Government should take the responsibility of supplying rations. He felt a 8 hours work would be all right but wanted permission for working late hours in Coffee plantations. He opposed clause 18.

Mr. S.C. Joshi suggested the addition of a clause prohibiting employment of children below 12.

The Chairman agreed.

Mr. Venkataraman suggested that the age limit should be raised to 14.

The Chairman pointed out that without proper arrangement for compulsory education, and with the Factories Act retaining the age at 12, it would not be reasonable to raise the age to 14 at that stage.

The Hon'ble Mr. Mookherjee wanted to know what should be the medium of instruction, in the schools in plantations.

The Chairman replied that the Provincial Government would have to be consulted.

He summeed up the suggestions as follows:-

Item I - He did not feel that the number could be raised beyond 50.

Paragraph 2 - Cinchona was added (Mr. Sundaram pointed out that he had no instructions from his Government on this point but he thought they would raise no objection)

Paragraph 3 - It was decided to retain the words "with the approval of the Central Government".

Paragraph 4. He dwelt on this point at length and pointing out the difficulty as to who should decided whether a person was desirable or not, he suggested that some sort of a formula might be adopted by which the planters could show that the workers were not secluded. As regards crimping, he suggested that the employer should form a union to guard against that.

Paragraph 6. He pointed out the difficulty that might have to be faced by the employers in case they did not agree to the setting of Housing Boards and asked the employers to agree to the proposal for Housing Boards - Messrs. Llewellyn and Barua agreed. He said that paragraphs 8,9 and 10 had been dealt with in the cour of the discussion. He suggested that there should be creches. Mr. Walker agreed and Mr. Llewellyn pointed out that his Associati had already started these. He pointed out that although the minimum wages not was passed, paragraph 12 was put to meet the wishes of the industry so that every thing might bein one Act. He made it clear that the two sides would mominate their representatives on the "age Boards and that the Government officials would be there, who might require the assistante of some technical man to help on technical matters,. He suggested that the provision could be as follows:- "including Government servants and independent persons chosen in consultation with both sides"

Paragraph 14. The normal houss of work would be eight and payment of overtime would be at normal overtime rates. The question of spread over would be referred to the Provincial Governments for theirviews. Mr. Barua pointed out the difficulty of introducing eight hour's work and the Chairman agreed to refer the matter to Provincial Governments. A member wanted to know whether the tea industry could be given exemption in regards to spread over. The Chairman agreed to examine the point.

He informed that the questions of holidays with pay and the discharge of workers by employers would be referred to provincial Governments and that the question of Provident fund would be examined in the light of the experience goined in coal mines.

Paragraph 17. He agreed that the Industry would be consulted in setting up the Tripartite Boards.

The Chairman again explained to Mr. Soutar that the whole object of para 4 was that the workers and the public should feel that they were not shut out.

Mr. Venkataraman wanted that the proposed Act should be passed by the Legislature within 6 months. The Chairman replied that he did not have that on much of control over the legislature.

Item IV-Standing Committee

Mr. Llewellyn Referred to the present difficulties of the industry and felt that in the Tripartite conferences, officers of all the Ministries should be present to know the real problems of the industry.

The Chairman replied that it would be better if the industry would send a Memorandum before hand so that officials of the Ministries concerned could be asked to be present at the meetings He agreed to send copies of Mr. Llewellyn's note to the different Ministries.

The Chairman took it that there was no further comments. It was agreed, after a short discussion, that the Standing Committee would consist of 2 members, 4 each from the employers workers and the Government groups.

SP/3.9. /True Copy/

Development Department

The papers may be recorded in a G.O.

Sd/- x x x xxx x
28.9.48.

G.O. Ms. No. 4887 dated 29-9-1948.

ABSTRACT:-

[illegible] - Plantation - Industrial Committee on Plantation - Meeting held on 31st March, 1st and 2nd April 1948 - Papers Recorded.

/True Copy/

Office Assistant

SP/3.9.

Madras Record Office.

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